

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GEORGE T. CAFFERY	:	CIVIL ACTION
	:	
v.	:	
	:	
CAROLYN W. COLVIN,	:	
Commissioner of the	:	
Social Security Administration	:	NO. 12-5360

ORDER

AND NOW, this 12th day of August, 2015, upon consideration of plaintiff George T. Caffery's brief and statement of issues in support of request for review (docket entry #10), defendant Carolyn W. Colvin's response thereto, plaintiff's reply thereto, and the Honorable Henry S. Perkin's thorough and well-reasoned report and recommendation (docket entry #15), to which neither party has filed an objection within the time period specified by Loc. R. Civ. P. 72.1 IV (b), and the Court agreeing with Judge Perkin that the matter should be remanded for an explanation as to the apparent conflict between the vocational expert's testimony that a person with the limitations set out by the administrative law judge could perform the jobs of Warehouse Checker, Flagger, Digital Inspector, and Cashier II and the descriptions of those jobs in the Dictionary of Occupational Titles, and so that the administrative law judge can incorporate plaintiff's bilateral sensori-hearing loss with understanding of 84% in the hypothetical to the vocational expert on remand, it is hereby ORDERED that:

1. Judge Perkin's report and recommendation (docket entry #15) is APPROVED and ADOPTED;
2. Plaintiff's request for review (docket entry #10) is GRANTED IN PART;

3. This case is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with Judge Perkin's report and recommendation;

4. The decision of the Commissioner is REVERSED for the purposes of remand only; and

5. The Clerk of Court shall CLOSE this case statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.